ಕರ್ನಾಟಕ ವಿಧಾನ ಪರಿಷತ್ತು

ಚುಕ್ಕೆ ಗುರುತಿನ ಪ್ರಶ್ನೆ ಸಂಖ್ಯೆ	126 (866)
ಮಾನ್ಯ ಸದಸ್ಯರ ಹೆಸರು	ಶ್ರೀ ಕೆ.ಎ ತಿಪ್ಪೇಸ್ವಾಮಿ (ನಾಮ ನಿರ್ದೇಶನ ಹೊಂದಿದವರು)
ಉತ್ತರಿಸಬೇಕಾದ ದಿನಾಂಕ	09.03.2021
ಉತ್ತರಿಸುವ ಸಚಿವರು	ಮಾನ್ಯ ಆರೋಗ್ಯ ಮತ್ತು ಕುಟುಂಬ ಕಲ್ಯಾಣ ಹಾಗೂ ವೈದ್ಯಕೀಯ ಶಿಕ್ಷಣ ಸಚಿವರು

ಅ	ಆಹಾರ ಸುರಕ್ಷತೆ ಮತ್ತು ಮಾನದಂಡ ಕಾಯಿದೆ-2006 (Food Safety & Standards Act-2006) ಅಡಿಯಲ್ಲಿ ಒಳಪಡುವ ರಾಜ್ಯ ಸರ್ಕಾರದ ವಿವಿಧ ಇಲಾಖೆಗಳು ಯಾವುವು ಮತ್ತು ಆ ಇಲಾಖೆಗಳು ಅನುಷ್ಠಾನಗೊಳಿಸುವ ಕಾರ್ಯಗಳು ಯಾವುವು; (ಸಂಪೂರ್ಣ ವಿವರ ನೀಡುವುದು)	ಆಹಾರ ಸುರಕ್ಷತೆ ಮತ್ತು ಮಾನದಂಡ ಕಾಯಿದೆ-2006 ರ ಪ್ರಕಾರ ಆರೋಗ್ಯ ಮತ್ತು ಕುಟುಂಬ ಕಲ್ಯಾಣ ಇಲಾಖೆ ಅಡಿಯಲ್ಲಿ ಆಹಾರ ಸುರಕ್ಷತೆ ಮತ್ತು ಗುಣಮಟ್ಟ ಪ್ರಾಧಿಕಾರವು ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿದೆ. ಕೇಂದ್ರ ಎಫ್.ಎಸ್.ಎಸ್.ಎ.ಐ ನಿಗದಿಗೊಳಿಸಿರುವ ಕಾರ್ಯಗಳ ಪಟ್ಟಿಯನ್ನು **ಅನುಬಂಧ-1** ರಲ್ಲಿ ಲಗತ್ತಿಸಿದೆ.
ಆ	ಈ ಕಾಯಿದೆಯನ್ನು ಅನುಷ್ಠಾನಗೊಳಿಸಲು ಮತ್ತು ವಿವಿಧ ಅಂಶಗಳ ಕಾರ್ಯನಿರ್ವಹಣೆಯನ್ನು ರಾಜ್ಯ ಸರ್ಕಾರ ಮತ್ತು ಕೇಂದ್ರ ಸರ್ಕಾರದ ಆದೇಶದಂತೆ ನಿಯಮಗಳನ್ನು ರೂಪಿಸಲಾಗಿದೆಯೇ; (ಸಂಪೂರ್ಣ ಮಾಹಿತಿ ನೀಡುವುದು)	ಎಫ್.ಎಸ್.ಎಸ್.ಎ.ಐ ಕಾಯ್ದೆಯನ್ನು ರಾಜ್ಯದಲ್ಲಿ ಯಶಸ್ವಿಯಾಗಿ ಅನುಷ್ಠಾನಗೊಳಿಸಲು ಕೇಂದ್ರ ಆಹಾರ ಸುರಕ್ಷತೆ ಮತ್ತು ಗುಣಮಟ್ಟ ಪ್ರಾಧಿಕಾರದ ನಿಯಮಗಳನ್ನು ಅನುಸರಿಸಲಾಗುತ್ತಿದೆ.
ಇ	ಆಹಾರ ಸುರಕ್ಷತೆ ಮತ್ತು ಮಾನದಂಡ ಕಾಯಿದೆ-2006 ಮತ್ತು ಇದಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ಕಾಯಿದೆಗಳನ್ನು ಜಾರಿ ಅನುಷ್ಠಾನ ನಿರ್ವಹಣೆ ಮತ್ತು ಮೇಲುಸ್ತುವಾರಿ ಅಥವಾ ನಿಗಾ ವಹಿಸಲು ರಾಜ್ಯ ಸರ್ಕಾರ ರೂಪಿಸಿರುವ ವ್ಯವಸ್ಥೆಗಳೇನು; (ಸಂಪೂರ್ಣ ವಿವರ ನೀಡುವುದು)	ಆಹಾರ ಸುರಕ್ಷತೆ ಮತ್ತು ಮಾನದಂಡ ಕಾಯಿದೆ-2006 ಮತ್ತು ಇದಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ಕಾಯಿದೆಗಳನ್ನು ಜಾರಿ ಅನುಷ್ಠಾನ ನಿರ್ವಹಣೆ ಮತ್ತು ಮೇಲುಸ್ತುವಾರಿ ಅಥವಾ ನಿಗಾ ವಹಿಸಲು ಕಾಲ ಕಾಲಕ್ಕೆ ಕೇಂದ್ರ ಎಫ್.ಎಸ್.ಎಸ್.ಎ.ಐ ನವದೆಹಲಿ ರವರು ಹೊರಡಿಸುವ ಅಧಿಸೂಚನೆ / ಸುತ್ತೋಲೆಗಳನ್ನು ಅನುಸರಿಸಲಾಗುವುದು. ಅಲ್ಲದೆ, ಪ್ರತಿ ಮಾಹೆ ನಡೆಸುವ ಸಭೆಗಳಲ್ಲಿ ಕೇಂದ್ರ ಎಫ್.ಎಸ್.ಎಸ್.ಎ.ಐ ಸೂಚಿಸುವ ಮಾರ್ಗಸೂಚಿಗಳಂತೆ ಆಹಾರ ಸುರಕ್ಷತಾ ಕಾಯ್ದೆಯನ್ನು ಯಶಸ್ವಿಯಾಗಿ ಜಾರಿಗೊಳಿಸಲು ಎಲ್ಲಾ ಅಂಕಿತಾಧಿಕಾರಿಗಳು ಹಾಗೂ ಆಹಾರ ಸುರಕ್ಷತಾಧಿಕಾರಿಗಳಿಗೆ ಸೂಚಿಸಲಾಗುತ್ತಿದೆ.

ಈ	ಆಹಾರ ಮತ್ತು ಸಂಸ್ಕರಿಸುವ ಪದಾರ್ಥಗಳ ಗುಣಮಟ್ಟ ಕಾಪಾಡಲು ಮತ್ತು ತನಿಖೆ ನಡೆಸಲು ನಗರ ಮತ್ತು ಪಟ್ಟಣ ಮತ್ತು ಗ್ರಾಮಾಂತರ ಪ್ರದೇಶಗಳಲ್ಲಿ ನಿರ್ಮಿಸಿರುವ ಪ್ರಯೋಗಾಲಯಗಳ ವ್ಯವಸ್ಥೆ ಏನು; (ವಿವರ ನೀಡುವುದು)	ರಾಜ್ಯದಲ್ಲಿ ಈ ಕೆಳಕಂಡ 4 ವಿಭಾಗೀಯ ಆಹಾರ ಪ್ರಯೋಗಾಲಯಗಳು ಕಾರ್ಯ ನಿರ್ವಹಿಸುತ್ತಿರುತ್ತವೆ:- 1.ರಾಜ್ಯ ಆಹಾರ ಪ್ರಯೋಗಾಲಯ, ಬೆಂಗಳೂರು. 2.ವಿಭಾಗೀಯ ಆಹಾರ ಪ್ರಯೋಗಾಲಯ ಮೈಸೂರು. 3.ವಿಭಾಗೀಯ ಆಹಾರ ಪ್ರಯೋಗಾಲಯ ಬೆಳಗಾವಿ 4.ವಿಭಾಗೀಯ ಆಹಾರ ಪ್ರಯೋಗಾಲಯ ಗುಲ್ಬರ್ಗ ಈ ಪ್ರಯೋಗಾಲಯಗಳಲ್ಲಿ ಸಂಸ್ಕರಿಸಿದ ಆಹಾರ ಪದಾರ್ಥಗಳ ಗುಣಮಟ್ಟವನ್ನು ವಿಶ್ಲೇಷಣೆ ಮಾಡಲಾಗುತ್ತದೆ. ಇದಲ್ಲದೆ, ರಾಜ್ಯ ಸಂಚಾರಿ ವಾಹನ ಪ್ರಯೋಗಾಲಯದ ವ್ಯವಸ್ಥೆ ಸಹ ಕಲ್ಪಿಸಲಾಗಿದೆ.
ಉ	ಕಳೆದ 3 ವರ್ಷಗಳಲ್ಲಿ ಈ ಕಾಯಿದೆ ಅಡಿಯಲ್ಲಿ ದಾಖಲು ಮಾಡಿದ ಮೊಕದ್ದಮೆಗಳೆಷ್ಟು; ಅವುಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಶಿಕ್ಷೆ ವಿಧಿಸಿರುವ ಪ್ರಕರಣಗಳೆಷ್ಟು? (ವಿವರ ನೀಡುವುದು)	ವಿವರಗಳನ್ನು **ಅನುಬಂಧ-2**ರಲ್ಲಿ ಲಗತ್ತಿಸಿದೆ.

ಆಕುಕ 34 ಎಸ್‌ಬಿವಿ 2021

(ಡಾ. ಕೆ ಸುಧಾಕರ್)
ಆರೋಗ್ಯ ಮತ್ತು ಕುಟುಂಬ ಕಲ್ಯಾಣ ಹಾಗೂ
ವೈದ್ಯಕೀಯ ಶಿಕ್ಷಣ ಸಚಿವರು

ಅನುಬಂಧ - 1

(2) The Scientific Committee and the Scientific Panel shall each choose a Chairperson from amongst their members.

(3) The Scientific Committee and the Scientific Panel shall act by a majority of their members and the views of the members shall be recorded.

(4) The procedure for the operation and co-operation of the Scientific Committee and the Scientific Panel shall be specified by regulations.

(5) These procedures shall relate in particular to –

(a) The number of times that a member can serve consecutively on a Scientific Committee or Scientific Panel;

(b) the number of members in each Scientific Panel;

(c) the procedure for re-imbursing the expenses of members of the Scientific Committee and the Scientific Panel:

(d) the manner in which tasks and requests for scientific opinions are assigned to the Scientific Committee and the Scientific Panel;

(e) The creation and organisation of the working groups of the Scientific Committee and the Scientific Panel, and the possibility of external experts being included in those working groups;

(f) The possibility of observers being invited to meetings of the Scientific Committee and the Scientific Panel;

(g) The possibility of organising public hearings; and

(h) Quorum of the meeting, meeting notice, agenda of the meeting and such other matters.

16. Duties and functions of Food Authority.

(1) It shall be the duty of the Food Authority to regulate and monitor the manufacture, processing, distribution, sale and import of food so as to ensure safe and wholesome food.

(2) Without prejudice to the provisions of sub-section (1),the Food Authority may by regulations specify –

(a) the standards and guidelines in relation to articles of food and specifying an appropriate system for enforcing various standards notified under this Act;

(b) the limits for use of food additives, crop contaminants, pesticide residues, residues of veterinary drugs, heavy metals, processing aids, myco-toxins, antibiotics and pharmacological active substances and irradiation of food;

(c) the mechanisms and guidelines for accreditation of certification bodies engaged in certification of food safety management systems for food businesses;

(d) the procedure and the enforcement of quality control in relation to any article of food imported into India;

(e) the procedure and guidelines for accreditation of laboratories and notification of the accredited laboratories;

(f) the method of sampling, analysis and exchange of information among enforcement authorities;

(g) conduct survey of enforcement and administration of this Act in the country;

(h) food labelling standards including claims on health, nutrition, special dietary uses and food category systems for foods; and

(i) the manner in which and the procedure subject to which risk analysis, risk assessment, risk communication and risk management shall be undertaken.

(3) The Food Authority shall also –

(a) provide scientific advice and technical support to the Central Government and the State Governments in matters of framing the policy and rules in areas which have a direct or indirect bearing on food safety and nutrition;

(b) search, collect, collate, analyse and summarise relevant scientific and technical data particularly relating to –

(i) food consumption and the exposure of individuals to risks related to the consumption of food;
(ii) incidence and prevalence of biological risk;
(iii) contaminants in food;

(iv) residues of various contaminants;
(v) identification of emerging risks; and
(vi) introduction of rapid alert system;

(c) promote, co-ordinate and issue guidelines for the development of risk assessment methodologies and monitor and conduct and forward messages on the health and nutritional risks of food to the Central Government, State Governments and Commissioners of Food Safety;

(d) provide scientific and technical advice and assistance to the Central Government and the State Governments in implementation of crisis management procedures with regard to food safety and to draw up a general plan for crisis management and work in close co-operation with the crisis unit set up by the Central Government in this regard;

(e) establish a system of network of organisations with the aim to facilitate a scientific co-operation framework by the co-ordination of activities, the exchange of information, the development and implementation of joint projects, the exchange of expertise and best practices in the fields within the Food Authority's responsibility;

(f) provide scientific and technical assistance to the Central Government and the State Governments for improving co-operation with international organisations;

(g) take all such steps to ensure that the public, consumers, interested parties and all levels of panchayats receive rapid, reliable, objective and comprehensive information through appropriate methods and means;

(h) provide, whether within or outside their area, training programmes in food safety and standards for persons who are or intend to become involved in food businesses, whether as food business operators or employees or otherwise;

(i) undertake any other task assigned to it by the Central Government to carry out the objects of this Act;

(j) contribute to the development of international technical standards for food, sanitary and phyto-sanitary standards;

(k) contribute, where relevant and appropriate to the development of agreement on recognition of the equivalence of specific food related measures;

(l) promote co-ordination of work on food standards undertaken by international governmental and nongovernmental organisations;

(m) promote consistency between international technical standards and domestic food standards while ensuring that the level of protection adopted in the country is not reduced; and

(n) promote general awareness as to food safety and food standards.

(4) The Food Authority shall make it public without undue delay –

(a) the opinions of the Scientific Committee and the Scientific Panel immediately after adoption;

(b) the annual declarations of interest made by members of the Food Authority, the Chief Executive Officer, members of the Advisory Committee and members of the Scientific Committee and Scientific Panel, as well as the declarations of interest if any, made in relation to items on the agendas of meetings;

(c) the results of its scientific studies; and

(d) the annual report of its activities;

(5) The Food Authority may from time to time give such directions, on matters relating to food safety and standards, to the Commissioner of Food Safety, who shall be bound by such directions while exercising his powers under this Act;

(6) The Food Authority shall not disclose or cause to be disclosed to third parties confidential information that it receives for which confidential treatment has been requested and has been acceded, except for information which must be made public if circumstances so require, in order to protect public health.

17. Proceedings of Food Authority.

(1) The Food Authority shall meet at the head office or any of its offices at such time as the Chairperson may direct, and shall observe such rules of procedure in regard to the transaction of business at its meetings (including the quorum at its meetings)as may be specified by regulations.

(2) If the Chairperson is unable to attend a meeting of the Food Authority, any other Member nominated by the Chairperson in this behalf and, in the absence of such nomination

or where there is no Chairperson, any Member chosen by the Members present from amongst themselves, shall preside at the meeting.

(3) All questions which come up before any meeting of the Food Authority shall be decided by a majority of votes of the Members present and voting, and in the event of an equality of votes, the Chairperson or the person presiding over the meeting shall have the right to exercise a second or casting vote.

(4) All orders and decisions of the Food Authority shall be authenticated by the Chief Executive Officer.

(5) The Chief Executive Officer shall take part in the meetings of the Food Authority but without a right to vote.

(6) The Food Authority may invite the Chairperson of the Scientific Committee to attend its meetings but without a right to vote.

(7) No act or proceedings of the Food Authority shall be questioned or invalidated merely on the ground of existence of any vacancy or defect in the constitution of Food Authority

CHAPTER III
GENERAL PRINCIPLES OF FOOD SAFETY

18. General principles to be followed in Administration of Act.

The Central Government, the State Governments, the Food Authority and other agencies, as the case may be, while implementing the provisions of this Act shall be guided by the following principles namely:-

(1) (a) endeavour to achieve an appropriate level of protection of human life and health and the protection of consumer's interests, including fair practices in all kinds of food trade with reference to food safety standards and practices;

(b) carry out risk management which shall include taking into account the results of risk assessment and other factors which in the opinion of the Food Authority are relevant to the matter under consideration and where the conditions are relevant, in order to achieve the general objectives of regulations;

(c) where in any specific circumstances, on the basis of assessment of available information, the possibility of harmful effects on health is identified but scientific uncertainty persists, provisional risk management measures necessary to ensure appropriate level of health protection may be adopted,

ಅನುಬಂಧ - 2

JMFC details from april 2017 to Feb -2021

Sl.No	Distict	No. of cases filed in JMFC court	Decided	Pending cases	Penalty in Rupees	Conviction
1	Bagalkot	0	0	0	0	0
2	Bengaluru Urban	-	-	0	-	-
3	Bengaluru Rural	0	0	0	0	0
4	Belagavi	13	0	13	0	0
5	Bellary	5	0	5	0	0
6	Bidar	16	0	16	0	0
7	Vijayapura	9	0	9	0	0
8	Chamarajanagar	0	0	0	0	0
9	Chikkaballapura	4	1	3	10000	0
10	Chikkamagaluru	2	0	2	0	0
11	Chitradurga	6	0	6	0	
12	Dakshina Kannada	0	0	0	0	0
13	Davanagere	9	1	8	0	1- dissclosed,(old case).
14	Dharwad	22	0	22	0	0
15	Gadag	4	2	2	25000	0
16	Kalaburgi	2	0	2	0	0
17	Hassan	5	0	5	0	0
18	Haveri	4	0	4	0	0
19	Kodagu	0	0	0	0	0
20	Kolar	6	3	3	75000	1 day inprissionment
21	Koppala	1	0	1	0	Letter submitted to commissioner for permition
22	Mandya	0	0	0	0	0
23	Mysuru	3	0	3	0	Pending
24	Raichur	2	0	2	0	0
25	Ramangara	25	3	22	20000	0
26	Shimoga	0	0	0	0	permission waiting
27	Tumkur	12	1	11	25000	0
28	Udupi	1	0	1	0	
29	Uttara Kannada	7	1	6	0	1 case permission waiting.
30	Yadagiri	-	-	-	-	-
31	B.B.M.P East	2	0	2	0	0
32	B.B.M.P South	0	0	0	0	0
33	B.B.M.P North	3	1	2	0	0
34	B.B.M.P West	4	2	2	0	0
35	Mysuru City	0	0	0	0	0
36	HDMC	13	0	13	0	0
	Total	180	15	165	155000	0

ADC details from april 2017 to Feb- 2021

Sl.No	Distict	No. of cases filed in ADC court	Decided	Pending cases	Penalty in Rupees	Remarks
1	Bagalkot	65	64	1	183400	2 Cases Warned By ADC
2	Bengaluru Urban	2	0	2	-	
3	Bengaluru Rural	1	0	1		
4	Belagavi	13	0	13	-	PENDING
5	Bellary	25	21	4	440250	-
6	Bidar	166	142	24	420800	
7	Vijayapura	11	11	0	115000	All case are dicided
8	Chamarajanagar	6	6	0	30000	1 Case is Warned By ADC Madam
9	Chikkaballapura	35	32	3	123000	1 Case is Under Process to File
10	Chikkamagaluru	27	5	22	300,000	Two Case Appeal to High Court W/P No:8854/2020 And W/P No: 10538/2020(GM/RES)
11	Chitradurga	47	45	2	117000	
12	Dakshina Kannada					
13	Davanagere	27	22	5	2,12,000/-	DO compounding (7) 36,000/-
14	Dharwad	52	38	14	499000	-
15	Gadag	14	9	5	185000	-
16	Kalaburgi	37	15	22	153000	
17	Hassan	5	2	3	50000	1 Case Decided, Opponent case submit againest ADC order in High Court
18	Haveri	23	22	1	150000	1 case is pending for Judgement.
19	Kodagu	0	0	0	0	0
20	Kolar	10	0	10	0	0
21	Koppala	14	0	14	0	Processing at ADC Court
22	Mandya	1	0	1	0	1 cases Pending
23	Mysuru	4	0	4	0	Pending
24	Raichur	55	43	12	12000	0
25	Ramangara	15	11	4	0	-
26	Shimoga	17	11	6	95000	1 case filed in High court on order of ADC Court WP: 4070/2017
27	Tumkur	34	6	28	109500	They Peanlty Paid by Retailers and Manufacturers
28	Udupi	8	6	2	35000	15000 yet to be paid by the Manufacture and Retailer
29	Uttara Kannada	7	4	3	18000	3 cases Yet to be Filed in the Month of november.
30	Yadagiri	57	43	14	2,41,000	-
31	B.B.M.P East	4	-	4		-
32	B.B.M.P South	1	0	1	0	
33	B.B.M.P North	4	0	4		
34	B.B.M.P West	6	0	6	0	0
35	Mysuru City	4	0	4	0	pending
36	HDMC	25	23	2	143000	0
	Tota	822	581	241	3178950	0